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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,853	03/13/2000	Hadi Partovi	22379-710	6249

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WAGNER, MURABITO & HAO LLP
TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE, CA 95113

EXAMINER

NGUYEN, QUANG N

ART UNIT PAPER NUMBER

2141

DATE MAILED: 02/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/523,853

Applicant(s)

PARTOVI ET AL.

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-13 are presented for examination. Claim 2 has been amended.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer et al. (US 6,240,170), herein after referred as Shaffer.

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4. As to claim 1, Shaffer teaches a method and apparatus for selecting a language (i.e., a voice character or a dialect) to communicate with a user of a voice mail or computer system comprising:

selecting at least one voice character setting based on the telephone identifying information (Shaffer, steps 100-104 of Fig. 2); and

presenting information according to the at least one voice character setting over the telephone interface using the first computer (Shaffer, C2: L36-61 and C3: L1-64).

5. As to claims 2-4, Shaffer teaches the method of claim 1, wherein the telephone identifying information is used to identify a locale having a corresponding dialect in the set of dialects, the telephone identifying information is associated with a preferred dialect in the set of dialects and the voice character comprises the corresponding dialect selected from a set of dialects (Shaffer, C3: L48-64).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer, in view of Wise et al. (US 5,884,262), herein after referred as Wise.

8. As to claims 5-7, Shaffer teaches the method of claim 1, but does not explicitly teach the voice character comprises one of a male voice and a female voice, a high volume setting and a lower speech pattern.

In the related art, Wise teaches a method and a computer network audio access and conversion system allowing a user to access information via a simple telephone wherein the method comprising: presenting information in different voice characters (low male, female, contrasting voices, etc.) depending on the content of the presented information over the telephone interface (see Wise, C2: L18-25).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the teachings of Shaffer and Wise to include male voice, female voice, high volume setting, etc, in the voice character to present information over the telephone interface because it would enhance the ability of voice processing systems to allow users to interact with electronic communication systems in a preferred voice character according to the users location or identification.

9. As to claims 8, 11 and 13 Shaffer-Wise teaches a computer system supporting user personalized profiles using a telephone identifying information comprising:

a database including personalization profiles for a plurality of users, each profile defining preferences, personalizing a corresponding user's interactions with the computer system, and indicating a voice character (Wise, memory 330 of Fig. 3, C8: L65-67, and C9: L1-26);

a server supporting the Internet interface, the server allowing access to, and modification of, the personalization profiles by the corresponding users (Wise, C8: L44-54 and Shaffer, C4: L19-23);

a telephone interface subsystem supporting the telephone interface to receive the telephone identifying information (Wise, call manager 210 of Fig.2 and Shaffer, telephone interface 54 and ANI decoder 56 of Fig. 1, C3: L33-67 and C4: L1-5).

10. As to claim 9, Shaffer-Wise teaches the computer system of claim 8, wherein if the voice character for a user is system default, using a locale corresponding to the telephone identifying information to select a voice character (Shaffer, C3: L1-67 and C4: L1-5).

11. As to claim 10, Shaffer-Wise teaches the computer system of claim 8, wherein the telephone identifying information includes caller number identifications (CIDs), wherein the CIDs are used by the first program code to perform matching of calls to personalization profiles (Wise, C3: L9-18 and Shaffer, C3: L65-67 and C4: L1-5).

12. As to claim 12, Shaffer-Wise teaches a computer system as in claim 8, wherein the telephone interface subsystem includes a call manager supporting multiple simultaneous telephone calls over the telephone interface (Wise, call manager 210 of Fig. 2, C5: L45-65, C6: L14-30 and C8: L37-43).

13. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

14. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

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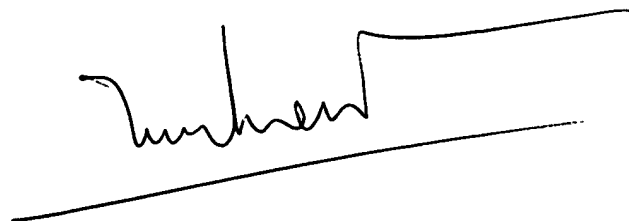
15. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Le H. Luu, can be reached at (703) 305-9650. The fax phone numbers for the organization is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen

A handwritten signature in black ink, appearing to read 'LH Luu', is written over a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER